

Election Procedures Review  
Of  
**Clallam County**  
State of Washington  
2005 General Election



Conducted by the  
Office of the Secretary of State  
Election Certification and Training Program



# Introduction

The Washington State Legislature enacted legislation in 1992 mandating that the Office of the Secretary of State review county election procedures and practices. The Election Certification and Training Program was established within the Elections Division of the Office of the Secretary of State to conduct reviews and to provide for the certification of election administrators. In 2005, the Legislature expanded the Election Certification and Training Program to require that each County Auditor's Office be reviewed at least once every three years.

The election review process is governed by RCW 29A.04.510 through 29A.04.590 and Chapter 434-260 of the Washington Administrative Code. Reviews are conducted at regular intervals in conjunction with a county primary, special or general election, at the direction of the Secretary of State.

Pursuant to RCW 29A.04.570 (1)(b), the Election Certification and Training Program conducted an election review in Clallam County during the November 2005 Election cycle. Amber Cervantes, Election Program Specialist, represented the Election Certification and Training Program during the review. Cathleen McKeown, Clallam County Auditor, Patty Rosand, Julie Ridgeway, and other members of the staff participated on behalf of the Clallam County Auditor's Office.

Clallam County allowed the reviewer to thoroughly review and examine all aspects of the election processes. The county provided documentation and materials during the review which greatly contributed to a successful examination process.

Both the reviewer and the Clallam County Auditor's Office approached the review in a spirit of cooperation. The State commends the Clallam County Auditor's Office for its organization and preparation in making the review process a positive and useful experience.

Contents of this report are based on observations of election practices and procedures and on interviews with county election personnel. The reviewer obtained information based on the actual observation of a particular procedure, based on verbal explanation or written procedures. In all cases, the predominant concern is whether or not the county's actions constitute compliance with the intent of statutes and rules.

The purpose of this review report is to provide the Clallam County Auditor's Office with a useful evaluation of its election procedures and policies and to encourage procedural consistency in the administration of elections throughout the state. This review report includes a series of recommendations and/or suggestions that are intended to assist Clallam County in improving and enhancing its election processes.

The reviewer is statutorily prohibited from making any evaluation, finding, or recommendation regarding the validity of any primary or election or of any canvass of the election returns. Consequently, this review report should not be interpreted as affecting, in any way, the validity of the outcome of any election or of any canvass of election returns.

# Table of Contents

## Section 1

Overview and Recommendations Page 3

## Section 2

Suggestions Page 13

## Section 3

County's Response Page 16

## Section 4

Conclusion Page 21

# Section 1

## Overview and Recommendations

During the course of this review, several county processes were observed, including pre-election procedures, Election Day procedures, post-election procedures, canvassing, reconciling, and certification procedures. There were no polling place procedures to observe as Clallam County votes entirely by mail. Comments regarding some of these observations are noted here and recommendations follow these observations.

Clallam County employed outstanding daily mail ballot reconciliation procedures. One person was dedicated to tracking the ballots by precinct each day. Reconciling on a daily basis ensures that all ballots are carefully accounted for and makes the final election reconciliation a much smoother process.

The fact that the Clallam County Auditor's Election Department is split in half, on two separate floors, makes it difficult for each staff person to have a complete understanding of the entire process. It would greatly benefit Clallam County if the entire election operation and its staff were all located in one area.

Some of the recommendations in this report require relatively minor changes in the county's procedures. However, because elections are so complicated, even minor changes can have a major impact on the election process.

The following recommendations and suggestions will improve and enhance the county's election procedures and policies.

## Review Recommendations

### Processing new voter registrations.

The Clallam County Auditor's Office requires a voter to submit a new voter registration form in order to change the name on the voter registration record. The Auditor's Office also requires the voter to sign both the old name and the new name on the new registration form.

RCW 29A.08.440 provides four different methods for a voter to change the name on the voter registration records, "...*(1) By sending the auditor a notice clearly identifying the name under which he or she is registered to vote, the voter's new name, and the voter's residence. Such a notice must also be signed by the voter using both this former name and the voter's new name; (2) by appearing in person before the auditor or a registration assistant and signing such a change-of-name notice; (3) by signing such a change-of-name notice at the voter's precinct polling place on the day of a primary or special or general election; (4) by properly executing a name change on a mail-in registration application or a prescribed state agency application...*"

**Recommendation 1:** The Clallam County Auditor's Office must accept name change applications in forms other than the by-mail voter registration application as is allowed by statute.

Note: At the time this report was issued, the Clallam County Auditor indicated that the above procedure had already been corrected.

### Cancellation of voter registration.

It was verbally explained to the reviewer that when the Clallam County Auditor's Office receives back an undeliverable ballot and somebody has written the word, "Deceased" on it, the Auditor's Office cancels the voter's registration. The same procedure is followed when the Auditor's Office receives a jury notice in which somebody, possibly including courthouse staff, has written the word, "Deceased" on the envelope.

However, the Auditor's Office provided the reviewer with a form letter that appeared to be designed to mail to a voter in precisely either of these instances. There was no written documentation providing the policies and procedures for this situation.

RCW 29A.08.510(3) allows that, "*any registered voter may sign a statement, subject to the penalties of perjury, to the effect that to his or her personal knowledge or belief another registered voter is deceased.*"

**Recommendation 2:** The Clallam County Auditor's Office must follow state law which requires the signature of a registered voter in order to cancel another voter's registration for cause of death. Clallam County must stop cancelling voters unless they have a documented signature of the requestor for cancellation. The letter already in Clallam County's possession should be mailed anytime a notice is received that is not accompanied by a signature.

Note: At the time this report was issued, the Clallam County Auditor indicated that the above procedure had already been corrected.

### Processing of voters who appear on DOL's change of address list.

The Clallam County Auditor's Office places a voter on inactive status and mails a confirmation notice to all known addresses whenever it receives information from the Department of Licensing indicating that the voter has moved out of the county. However, the Auditor's Office does not also send a voter registration form and a letter informing the voter of the need to reregister in the new county.

RCW 29A.08.360(2) requires, *"...If the voter indicates that the new address is outside of the voter's original county, the county auditor shall send the voter a registration by mail form at the voter's new address and advise the voter of the need to reregister in the new county. The auditor shall then place the voter on inactive status."*

RCW 29A.08.620(2) requires, *"...A county auditor shall also assign a registered voter to inactive status and shall send the voter a confirmation notice: (a) Whenever change of address information received from the department of licensing under RCW 29A.08.350, or by any other agency designated to provide voter registration services under RCW 29A.08.310, indicates that the voter has moved out of the county; or ..."*

**Recommendation 3:** When changing a voter's status from active to inactive based on information received from the Department of Licensing indicating the voter has moved outside of Clallam County, the Auditor's Office must send the voter a registration application and a letter informing the voter of the need to reregister in the new county.

Note: At the time this report was issued, the Clallam County Auditor indicated that the above procedure had already been corrected.

### Public Records.

When a person requests a list or a set of labels from the Clallam County Auditor's Office, the requested documents are provided at the cost of time and materials. For example, the cost of a countywide list or set of labels is \$200.00 and the cost of the information by email or disk is \$25.00. Mailing lists and labels for portions of the county are calculated at one cent per name. At one cent per name, a countywide list of active registered voters would total \$437.42, so it appears that the method of calculating a countywide list is different than for only a portion of the county.

RCW 29A.08.720 requires, *"...The county auditor shall promptly furnish current lists or mailing labels of registered voters in his or her possession, at actual reproductions cost, to any person requesting such information..."*

RCW 29A.08.730 states, *"...a reproduction of any form of data storage, in the custody of the county auditor,...shall at the written request of any person be furnished to him or her by the county auditor pursuant to such reasonable rules and regulations as the county auditor may prescribe, and at a cost equal to the county's actual cost in reproducing such form of data storage..."*

RCW 42.17.300 Charges for copying. *"No fee shall be charged for the inspection of public records. No fee shall be charged for locating public documents and making them available for copying. A reasonable charge may be imposed for providing copies of public records and for the*

*use by any person of agency equipment or equipment of the office of the secretary of the senate or the office of the chief clerk of the house of representatives to copy public records, which charges shall not exceed the amount necessary to reimburse the agency, the office of the secretary of the senate, or the office of the chief clerk of the house of representatives for its actual costs directly incident to such copying. Agency charges for photocopies shall be imposed in accordance with the actual per page cost or other costs established and published by the agency. In no event may an agency charge a per page cost greater than the actual per page cost as established and published by the agency. To the extent the agency has not determined the actual per page cost for photocopies of public records, the agency may not charge in excess of fifteen cents per page...*"

**Recommendation 4:** When determining the cost of producing various forms of data, the Auditor's Office should not include the cost of staff time. The prices that are charged to the public should be reflective of the actual material cost to produce the lists, labels, CD's, or other forms of data. Costs to produce a countywide list or a partial county list should be calculated using the same method. The Auditor's Office may also want to consider transfer of data by email a service at no cost unless the email service provider charges based on the number of emails sent each month.

Notice of closing voter registration files.

The Clallam County Auditor's Office published a notice of closing for voter registration files prior to the closing for the General Election. The notice is specific to closing the voter registration files to new registrants and does not address previously registered voters needing to change the address of record.

RCW 29A.08.140 requires, "...*The county auditor shall give notice of the closing of the precinct files for original registration **and transfer** and notice of the special registration and voting procedure...*" (Emphasis added.)

**Recommendation 5:** The Clallam County Auditor's Office must include in the notice of closing of registration that the thirty day cut-off for the voter registration files applies to transfers as well as to new registrants.

Note: At the time this report was issued, the Clallam County Auditor indicated that the above procedure had already been corrected.

Notice of certification meeting.

The Clallam County Auditor's Office published an Open Public Meeting Notice for the meeting of the County Canvassing Board to canvass all ballots referred to the board by the Auditor's staff. The date for the County Canvassing Board to meet for the certification of the election was not included in this notice. The County Canvassing Board did not plan to have an actual meeting to certify the election. In the past, the members of the board signed the certification form at the canvassing meeting prior to certification. If there were any changes between the canvassing meeting and the date of certification, the Auditor would take the changes to each board member and have them sign a new certification form.

At the meeting that this reviewer attended to witness the canvassing of the ballots, the canvassing board decided to change its policies and procedures to begin holding meetings for the certification of elections on the actual day of certification.

RCW 42.30.030 requires, “...*All meetings of the governing body of a public agency shall be open and public and all persons shall be permitted to attend any meeting...*”

RCW 29A.60.190 states, “...*ten days after a primary and twenty-one days after a general election, the county canvassing board shall complete the canvass and certify the results...*”

RCW 29A.60.140(5) “*Meetings of the county canvassing board are public meetings under chapter 42.30 RCW...*”

**Recommendation 6:** The Clallam County Auditor’s Office must ensure that the County Canvassing Board meets on the day of certification to certify the election results. The Auditor must also include the date of certification as an open public meeting in the Notice of Certification so that the public is aware of the meeting and has the opportunity to attend and observe.

#### Number of registered voters in precincts.

All precincts in Clallam County are vote-by-mail. For a county to designate a precinct as a vote-by-mail precinct, it must contain less than 200 active registered voters after subtracting any permanent absentee voters. Clallam County has six precincts that are above the 200 voter limitation. For example, precinct 221 contains 1000 active registered voters. 768 of the 1000 are permanent absentee voters and 232 are active registered voters; 32 too many for a vote-by-mail precinct. In addition to the six precincts that are above the limit, there are several other precincts that are very close to the 200 voter limit.

RCW 29A.48.010(2) authorizes, “*The county auditor may designate any precinct having fewer than two hundred active registered voters at the time of closing of voter registration as provided in RCW 29A.08.140 as a mail ballot precinct...In determining the number of registered voters in a precinct for the purposes of this section, persons who are ongoing absentee voters under RCW 29A.40.040 shall not be counted...*”

**Recommendation 7:** Prior to each election, the Clallam County Auditor’s Office must ensure that all of its precincts meet the requirements to be vote-by-mail precincts. The preferred alternative is to use the recent legislation to ask the county commissioners to authorize all primary, special, and general elections to be conducted by mail in Clallam County. This would be merely a formality as Clallam County has maintained all of its precincts as vote-by-mail precincts for quite some time. This would free the Auditor’s Office from tracking the number of registered voters in each precinct to ensure the numbers do not rise above the 200 limit. This action would also make Clallam County consistent with the majority of other counties that have used the recent legislation to go entirely vote-by-mail.

#### Precinct boundaries.

In early 2005, the city of Sequim approved an application to annex a portion of Clallam County into the city of Sequim. The annexation became effective March 12, 2005. The city mailed letters to the voters living within the annexation and a letter to the Clallam County Planning



Department and the Clallam County Assessor's Office to inform the county that the annexation had been approved. Although the County Auditor's Office received information regarding the annexation, staff did not make changes to the voter registration system to reflect the annexation. As of March 2, 2006, approximately one year after the annexation became effective; changes to the voter registration system had still not been performed to correctly move the affected voters into the city limits. Clallam County staff verbally explained that they did not believe that the changes could be made until the Assessor's Office updated its records to reflect that those residents were actually paying taxes for the city. Voters residing within this annexation should have received city ballots rather than county ballots in the 2005 November election.

RCW 29A.16.040 (5) directs, *"The county auditor shall temporarily adjust precinct boundaries when a city or town annexes unincorporated territory to the city or town, or whenever unincorporated territory is incorporated as a city or town. The adjustment must be made as soon as possible after the approval of the annexation or incorporation. The temporary adjustment must be limited to the minimum changes necessary to accommodate the addition of the territory to the city or town, or to establish the eligible voters within the boundaries of the new city or town."*

**Recommendation 8:** The Clallam County Auditor's Office must immediately correct the voter registration system and correct their procedures to process annexations as soon as they are approved by the city to ensure that voters are voting on the appropriate issues. This will require the County Auditor to proactively implement a system of communication between the Auditor's Office and any other appropriate office to ensure that the Auditor's Office is notified of changes in a timely manner to ensure that county citizens are being mailed correct ballots.

#### Questionnaires to cities, towns and districts.

Prior to May 1, the Clallam County Auditor's Office mailed a letter to its cities, towns, and districts to verify candidate filing information. A list of current positions, candidates, and terms of office was also provided for each district to confirm as correct. The Auditor's Office did not list the current salaries of the offices or request verification of the amount the salaries would be at the time of filing.

WAC 434-215-005 states, *"...The questionnaire should request at a minimum, confirmation of offices to be filled at the general election that year, the name of the incumbent, the annual salary for the position at the time of the filing period..."*

**Recommendation 9:** The Clallam County Auditor's Office must include in the letter to cities, towns, and districts a request for the annual salary for each position at the time of filing. This will ensure that the Auditor's Office is able to correctly calculate the filing fee for each position.

#### Ballot Security – Before.

Upon receipt of mail ballots, the Auditor's Office first removes all of the windows to display the voter's signature. The next step is to sort the ballots by precinct, each precinct becoming one batch. After a batch receipt is completed for each precinct, the groups of precincts are moved into mail trays to wait for signature verification. After the signatures have been verified, the mail trays go on open shelves until they are later opened for ballot inspection and scanning.

There is one main room where all of the ballot processing takes place. This room also includes the election staff workspaces. Against one wall are several open, metal storage shelves where the trays of ballots are stored. The room is locked up at night when election staff leaves the office.

WAC 434-250-110(2) requires, “...*Following initial processing, all absentee ballots must be kept in secure storage until final processing. Secure storage must employ the use of numbered seals and logs, or other security measures which will detect any inappropriate or unauthorized access to the secured ballot materials when they are not being prepared or processed by authorized personnel...*”

WAC 434-250-130 states, “...*Each county auditor shall maintain an audit trail with respect to the processing of absentee ballots which shall include, but not be limited to, the following: ... (6) A documentation of the security procedures undertaken to protect the integrity of all ballots after receipt, including the seal numbers used to secure the ballots during all facets of the absentee ballot process; and...*”

**Recommendation 10:** The Clallam County Auditor’s Office must be able to document access to the ballots. This is not possible when they are in open space in an open room. A method of securing the ballots using numbered seals and logs needs to be developed. The ballots must be secured any time they are not being directly processed, beginning with the receipt of the ballots. One way to accomplish this is to transform the open metal shelves into covered cabinets to which a clasp can be attached for seals.

#### Ballot Security – Before.

The Clallam County Auditor’s Office offers voters a ballot drop-box inside the Auditor’s Voter Registration Office and a drive-up drop-box in the parking lot of the Auditor’s Office. Neither of the two drop-boxes utilize numbered seals or seal logs to document access. It is the policy of the Auditor’s Office that when retrieving ballots from the ballot boxes on the Auditor’s property, two people participate in the process.

In addition to the two drop-boxes referenced above, there are also drop-boxes at other locations within the county. Clallam County does not require two people to transport those ballots back to the Auditor’s Office, nor does the County require the ballots be counted and documented prior to transportation.

WAC 434-250-100 requires, “...*Ballot boxes must be locked and sealed at all times, with seal logs that document each time the box is opened, by whom, and the number of ballots removed...*” and, “*two county auditor staff members must empty each ballot drop box with...*”

This second citation of the WAC has since been amended to read, “*two people who are either employees of or appointed by the county auditor must empty each...*”

**Recommendation 11:** The Clallam County Auditor’s Office must ensure that numbered seals and logs are used on all ballot drop-boxes. It is also imperative that the number of ballots that are going to be transported from locations away from the Auditor’s Office property are counted prior to being transported to the Auditor’s Office. This will ensure that the Auditor’s Office is able to confirm that all of the ballots arrived at the office. The Auditor’s Office must also ensure that two people accompany the ballots at all times during transport. It is also suggested that the

Auditor's Office use a covered container when transporting ballots between their on-site drop-box and the Auditor's Office to protect the ballots from the weather.

Note: At the time this report was issued, the Clallam County Auditor indicated that the above procedure had already been corrected.

Processing Ballots with an unsigned affidavit.

When the Clallam County Auditor's Office receives a ballot in which the voter has not signed the affidavit, staff of the Auditor photocopy the envelope and mail the photocopy along with a letter to the voter to request a signature. Because the design of the envelope now requires a flap to cover the voter's information, the photocopy only captures the signature line for the voter, but not the affidavit.

WAC 434-250-120 requires, *"A ballot shall only be counted if: ...(2) The affidavit is signed with a valid signature..."*

WAC 434-261-050 requires, *"...The voter must sign the oath that appeared on the envelope."*

**Recommendation 12:** The Clallam County Auditor's Office must ensure that when requesting a signature from a voter who failed to sign their ballot, the voter signs the affidavit.

Note: At the time this report was issued, the Clallam County Auditor indicated that the above procedure had already been corrected.

Manual inspection of ballots.

After scanning ballots into the HART system, several ballots were flagged as needing further inspection because of write-ins, overvotes, undervotes, etc. One ballot was very difficult to discern the voter's intent. There were some x's and some light markings. It was unclear to the reviewer what the voter intended. The ballots flagged as needing further inspection are reviewed by two people in what is called the "resolution process." The two people spent considerable time discussing the ballot. They asked the opinion of the reviewer and of another Auditor's staff, eventually coming to a decision.

WAC 434-261-070 states, *"If the voter's intent is not clear, the ballot must be referred to the county canvassing board."*

**Recommendation 13:** In the future, when the intent of a ballot is not clear, Auditor's staff should refer the ballot to the County Canvassing Board instead of trying to make that determination themselves.

Ensuring that a voter did not vote at the polls and by mail.

Clallam County votes entirely by mail. The Auditor's Office is considered a polling place and voters are able to receive replacements ballots, provisional ballots, and may vote on the Direct Recording Equipment (DRE).

When a voter comes to vote on the DRE, after verifying that the voter has not already been given credit for voting, the Auditor's staff issues the voter a replacement ballot. Instead of a voted ballot, a slip of paper indicating that the voter voted on the DRE is placed in the ballot envelope,<sup>10</sup>

and the voter signs. The voter is then allowed to vote on the DRE. The envelope is then deposited in the Auditor's Office ballot drop-box. At the end of the day, the ballot box is emptied and delivered to the ballot processing office where the voter will be given credit with the rest of the mail ballots.

RCW 29A.46.110 requires that, "...*The auditor shall maintain a system or systems to prevent multiple voting.*"

**Recommendation 14:** The Clallam County Auditor's Office must implement a system in which the voter gets credited immediately upon using the DRE to ensure that the voter is not able to cast multiple ballots. The current procedure the Auditor's Office employs allows the possibility that a voter's mail ballot could be received, credited, and put in the mix for counting during the lag time between the voter casting a vote on the DRE and the replacement ballot envelope being processed and credited in the following days.

Although it was not in effect at the time of this review, WAC 434-250-095 has since been adopted and specifies even further, "*If a voter who was issued an absentee or mail ballot requests to vote on a direct recording electronic voting device, ... Consistent with RCW 29A.46.110, in order to prevent multiple voting, the voter must be immediately credited or otherwise flagged as having voted.*"

A voter voting a DRE at the Auditor's Office does not need to sign an absentee ballot envelope. The voter must provide identification prior to voting, as required by RCW 29A.44.205. The identification confirms that the person voting is the registered voter. The signature serves no purpose since the votes are already cast by the time the signature is verified.

Note: At the time this report was issued, the Clallam County Auditor indicated that the above procedure had already been corrected.

#### Special Absentee Ballots.

The Clallam County Auditor's Office was unable to provide a form to this reviewer that a voter could use to request a special absentee ballot. After initial requests, a paragraph was added to the Auditor's Policies and Procedures Manual to address Special Absentee Ballots. The procedure directed that if a voter wanted to request one, the voter could physically write the statement, "I am unable to vote and return a regular absentee ballot by normal delivery within the time provided for regular absentee ballots. I request a special write-in absentee ballot" onto a Federal Post Card Application. The procedures do not indicate which offices or candidates should appear on the special absentee ballot.

RCW 29A.40.050 (1) states, "As provided in this section, county auditors shall provide special absentee ballots to be used for state primary or state general elections. An auditor shall provide a special absentee ballot only to a registered voter who completes an application stating that she or he will be unable to vote and return a regular absentee ballot ..."

WAC 434-250-030 (3) requires, "...*each county auditor must provide the applications. In addition to the requirements for a single absentee ballot, as provided in subsection (2) of this section the form must include: (a) A space for an out-of-state, overseas, or service voter not registered to vote in Washington to indicate his or her last residential address in Washington;*

*(b) A checkbox requesting that a single absentee ballot be forwarded as soon as possible; and (c) The declaration required in WAC 434-250-050.”*

WAC 434-250-030 (2) requires, “(a) A space for the voter to print his or her name and the address at which he or she is registered to vote; (b) The address to which the ballot is to be mailed; (c) a space for the voter to sign and date the application.”

**Recommendation 15:** The Clallam County Auditor’s Office must develop a form for a voter to request a special absentee ballot that includes all of the required pieces of information cited above. Asking the voter to add the required statement to the Federal Post Card Application does not suffice. There may be voters who are not affiliated with the military that wish to request a special absentee ballot and it would not make sense for those voters to complete a Federal Post Card Application when they are already registered.

## Section 2

### Suggestions

The following are suggestions for increasing efficiency and improving operations with the County Auditor's Office. Although these suggestions do not address issues involving compliance with state laws or administrative rules, the reviewer identified the tasks discussed in the section as areas of election administration in which the County Auditor might improve the efficiency and operation of the office.

**Suggestion 1:** The Clallam County Auditor's Office should be careful that language does not mislead voters. The Clallam County Auditor's Office mails a letter to voters who have not supplied their driver's license number or the last four digits of their social security number when registering to vote using the mail application. The letter contains misinformation that could be misleading to a voter. In bold type, the letter states, "you will not be allowed to vote in the next election unless we can verify your name and address." In 2005, this was not true.

If the voter did not supply a drivers license number or the last four digits of a social security number and attempted to vote at a poll site, the voter would be allowed to vote a regular ballot as long as he or she provided ID, which is required of all voters voting at poll sites. If the voter still did not provide ID, he or she would be allowed to vote a provisional ballot, which would be counted as long as the signature on the envelope matched the signature on file.

If the voter votes by mail, the ballot would count as long as the signature on the envelope matched the signature on file.

As of January 1, 2006, a voter is no longer able to register to vote without providing a driver's license number or the last four digits of a social security number, unless they do not possess either. Consequently, this particular example should not be an issue in the future.

The letter that the Clallam County Auditor's Office mails to its inactive voters rather than a ballot also contains information that could be misinterpreted by voters. Twice in the letter, it states that if the voter does not return the letter requesting a ballot by January 31, 2006 (for the February 7 election) the voter will not be able to receive a ballot for the election. That is not entirely true. That may be the timeframe which the Auditor's Office feels is necessary to mail a ballot back out to the voter, but the voter also has the option to come into the office and receive their ballot all the way up to day of the election. This information should be included in the letter as well to ensure that voters do not miss the opportunity to vote.

Note: At the time this report was issued, the Clallam County Auditor indicated that the above procedure had already been corrected.

**Suggestion 2:** The Clallam County Auditor's Office has designated two people in the office to process Address Confidentiality Program (ACP) participants. The Auditor's Office has also developed written procedures regarding this topic.

The written procedures indicate that both people authorized to process ACP participants must be part of the process. If it is the Auditor's policy that two people be present during the registration

process, more than two office staff should be trained to ensure there will always be two people in the office when a participant comes in to register.

It is also suggested that the county include the mailing of ACP absentee ballots in the election scheduling calendar. Since ACP participants are not in the voter registration system, it is very helpful to have a reminder to send the ACP ballots when the other ballots are mailed.

Note: At the time this report was issued, the Clallam County Auditor indicated that the above procedure had already been corrected.

**Suggestion 3:** The Declaration of Candidacy form for write-in candidates that the Clallam County Auditor's Office provided was considerably out-of-date. The areas for dates on the form all began with 19\_\_\_\_. The form is also missing the entire section for information regarding the amount of the filing fee and whether the candidate would like to file using a filing fee petition. The Office of the Secretary of State has updated all of the Declaration of Write-In forms for the Primary and General elections, and for President of the United States. The forms are available on the website at [http://www.secstate.wa.gov/elections/filing\\_for\\_elective\\_office.aspx](http://www.secstate.wa.gov/elections/filing_for_elective_office.aspx). The Auditor's Office should print the current forms and keep them on file for use to ensure that all of the appropriate information is collected.

Note: At the time this report was issued, the Clallam County Auditor indicated that the above procedure had already been corrected.

**Suggestion 4:** Replacement ballots are issued upstairs in the voter registration department. Behind the counter are trays of ballots to be issued as replacements and trays of ballots returned as undeliverable. The trays are taken in to the vault at night and locked up. This reviewer suggests implementing a system that would either secure the ballots during the day or a system that would at least track the ballots. Ideally the ballots would be placed in a cabinet which could be sealed and logged until a replacement ballot is needed. Another possibility is to record the total number of ballots for each precinct that the county is beginning with and then record on a tally sheet each time a replacement ballot is issued for each precinct. This would allow office staff to determine whether any ballots were missing at any time.

**Suggestion 5:** One practice that may be able to speed up ballot processing is the way the ballots are opened. One person ran the ballots, one at a time, through an envelope opener. Then, two others would remove the ballots and manually inspect the ballots. When the person operating the envelope opener seemed to be getting ahead of the other two, she would stop and wait for them to catch up before she began opening more, so that she had no more than two small stacks opened at a time.

Perhaps a more efficient method could be developed. For example, the person was assigned to opening all of the envelopes could open them and place them back into the mail trays to wait for the next step. The opener would finish and be able to move on to other tasks rather than spend time waiting.

**Suggestion 6:** On Election Night, the Auditor's staff had difficulty ascertaining specific information for write-in votes that were cast. They were attempting to determine whether any of the write-in votes would need to be tallied based on whether there were enough to make a difference in the outcome of any of the races. This is one piece of technical training that Auditor's staff should become more familiar with.

It would also benefit the Auditor's staff to visit other counties using HART voting equipment during an election cycle to observe processes used by other counties. Visiting other counties using the same equipment could provide the Auditor's staff with new ideas to improve speed, efficiency, and accuracy.

It would also be beneficial for the Clallam County Auditor's Office to be able to attend HART User Group Meetings for the same reasons described above.

**Suggestion 7:** The Clallam County Auditor's Office should consider housing the entire Elections operation in one area. Currently, the Clallam County Auditor's Office is divided between two separate floors. The voter registration office is on one floor and the ballot processing office is on another floor. Particular staff are assigned to one of the two offices rather than cross-trained in both offices.

If all of the operations of the elections office were in one area, it would be much easier to cross-train the employees which would enable them to cover for each other. All staff being fully trained in all areas of elections would greatly benefit Clallam County since they are short staffed and one person's absence could have a severe impact on the operation of the office.

**Suggestion 8:** The Clallam County Auditor's Office Policy and Procedures Manual needs to include additional information. There are several areas of managing elections that are simply not addressed in the manual. For example, the appendix regarding candidate filing consists of two paragraphs, one of which is just reciting an RCW. There are no written procedures for nominating or filing fee petitions, filings received in the mail, joint county filings, candidate lot drawings, special three-day filing periods, candidate withdrawal periods, etc .

The areas that are addressed in the manual are lacking process and need to be more detailed with a focus on the actual procedures implemented by office staff rather than just the policy or the statute.

**Suggestion 9:** The Clallam County Auditor's Office should add a place to record the date that the County Canvassing Board signs the delegation of authority. The Auditor's Office provided this reviewer with a copy of the delegation of duties for the 2005 General Election. However, the signed form was not dated. WAC 434-262-015 requires that the delegation be on file prior to the Auditor's staff undertaking any duties. It is impossible to determine whether that was the case when there is no date on the delegation.



## **Section 3**

### **County's Response to Draft Review Report**

The Election Certification and Training Program issued a draft review report to the Clallam County Canvassing Board on March 10, 2006. In accordance with WAC 434-260-145, Clallam County was provided a 10-day period in which to respond, in writing, to recommendations listed in the draft report.

The Clallam County Auditor provided the following response to the draft review report. The original is on file with the Office of the Secretary of State.



## M E M O R A N D U M

*Cathleen McKeown*  
*Auditor*

---

To: M. Doherty and M. Nichols Clallam County Canvassing Board; P Rosand, Election Coordinator & Secretary; J Ridgway, Voter Registration Coordinator; and S Radon, Election Assistant  
Date: March 14, 2006  
Subject: Secretary of State Election Audit

### RECOMMENDATIONS

As noted by the Office of Secretary of State (OSOS) auditor, most recommendations were changed before the report was issued – these are noted with an @ after the recommendation number. Additional abbreviation: Clallam County Canvassing Board (CCCB).

After research and staff meetings, we corrected our policy and procedure – these are noted with # after the recommendation number.

#### Recommendation No. 1: @

Per RCW, the voter can sign on a scrape of piece of paper if they wish to make a name change. In the past, we sent a form so that we'd have uniform papers. As required we changed our procedure.

#### Recommendation No. 2: @

If notified by the courts or a ballot envelope was returned with "deceased" written on it, we cancelled their voter registration. We must have a signature from a registered voter to cancel a voter. As required we changed our procedure.

#### Recommendation No. 3: @

Upon a Dept. of Licensing notice that a voter had moved out of the county, their status was changed to "inactive". We must send a registration application and an information letter that they need to reregister in the new county. As required we changed our procedure.

#### Recommendation No. 4: #

We charged more for a partial list than for a county-wide list as it took the same amount of staff time to produce either list. This is in violation of state statute. We changed our fee schedule to be .0005/per name.

#### Recommendation No. 5: @

The CCCB public notice indicated the day we would meet. The notice did not indicate transfer date. As required the notice has been changed

#### Recommendation No. 6: @

In the past, the CCCB was not meeting on the day of Certification. We now meets on certification day.

#### Recommendation No. 7: #

Individual precincts were vote by mail. This was awkward and the OSOS auditor recommended that we change to a vote by mail county. A hearing is schedule by the Board of Clallam Commissions (BoCC) for April 4.

#### Recommendation No. 8: (In process)

To: Clallam County Canvassing Board  
Date: March 16, 2006  
Subject: Secretary of State Election Audit

Page 2 of 4

Sequim did a annexation in February 2005 but did not file it with the Clallam County Auditor (CCA) until March 13, 2006. It is my opinion that the OSOS auditor is incorrect in her quote that it is our responsibility to have better communication with the cities. By statute, the city is to file it with us. I'm working with Sequim Councilman Bill Huizinga, city manager, and city planner to assist them in procedures. Treasurer and Assessor will review a procedure before I submit it to the cities.

Recommendation No. 9: @

In the past taxing districts did not respond to our letters asking what positions were open and the salary for the forthcoming election. We changed our procedure to telephone the districts. As per RCW, we returned to sending letters with telephone follow-ups.

Recommendation No. 10: @

The OSOS didn't approve that the ballots were on open shelves. Even though no one is allowed in the room without election staff present, we purchased three "cages" for HAVA dollars. Also, we are working with the building maintenance to lock the room with a number clasp for additional security.

Recommendation No. 11: @

The OSOS recommends that we have the ballots counted at the Sequim and Forks drop boxes before sending to us for counting. Those that open the drop boxes will complete a preprinted form as to the time the box is opened, the clasp number, and the number of ballots that are being forwarded to us. Although we disagreed with this recommendation to count ballots, we changed our procedures.

Recommendation No. 12: @

When an individual did not sign their ballot, we sent a letter advising them of such including a copy of the envelope with no signature present. The affidavit is on the envelope. The OSOS auditor saw one envelope that did not have the voter sign the affidavit. Staff has been reminded. They were quite surprised and noted that they'd be careful in the future.

Recommendation No. 13: @

We were extremely upset that this recommendation came from the audit. We were reprimanded for the election staff being hesitant over a ballot were the voter's intent wasn't clear.

Our response to the recommendation: At the point in time that the observation was made, staff was in the process of learning the new software and the change from punch cards to optical scan. They were not as sure of themselves as they are today.

Staff has reached a level of confidence that they may make decisions faster and with confidence. Additionally they have samples of ballots to assist them that were provided by the Clallam County Canvassing Board.

I don't believe that this recommendation is necessary now that they have experience in reviewing ballots. Our procedure continues to be that staff may not reject a ballot or if intent is not clear under any circumstances, it must be referred to the Clallam County Canvassing Board for review. Deciding if a ballot is to be rejected is not up to a staff vote. If one staff questions the ballot, it is to be referred to the CCCB.

Recommendation No. 14: @

The DRE that is placed in the CCA's lobby is used by one to two voters. Our procedure was to give them credit for voting as the daily votes were tallied. The OSOS auditor recommends immediate crediting. We complied.

To: Clallam County Canvassing Board  
Date: March 16, 2006  
Subject: Secretary of State Election Audit

Page 3 of 4

Recommendation No. 15: @

When a voter requested a ballot, we had them fill out a Federal Post Card Application. The audit recommended that we prepare a county form requesting such. The form must list which office/s they are eligible to vote on. We complied.

SECTION 2 -- SUGGESTIONS

Suggestion No. 1: @

Voters are not required to provide a driver's license number. We had not changed our form letter that it was required. Procedure was changed.

Suggestion No. 2: @

Julie Ridgway and I are the two who may issue a "Address Confidentiality Program" registration. The OSOS auditor suggested that we have three in case one of us is absent. We trained a third person.

Suggestion No. 3: @

A Declaration of Candidacy form for write-in candidates was out of date. We had 19\_\_\_. We changed it to 20\_\_\_.

Suggestion No. 4: (In process)

The audit indicates that the ballots that are placed behind Julie's desk could be altered as they are not secured during the day. We don't agree with this suggestion as the public does not have access to Julie's table. However, upon completion of scanning the old voter registration files, we will purchase cabinets that can be locked and comply with the suggestion.

Suggestion No. 5: @

When the OSOS auditor reviewed this office, it was our first time to use the system. We were at the high point in the learning curve. After each election we review our procedures for improvement. This election was no exception. Each one of us had the issue of ballots being processed faster as our #1 priority. We, therefore, implemented procedures to scan the ballots on a daily (if numbers warrant such) basis. This proved to be very successful in the last election. We were able to provide the results of ballots received through 3:00pm on Election Day.

We will not change the Opening Board procedures to decrease time spent opening envelopes as accuracy is our number one goal. We believe that our procedure to scan ballots on a daily basis has provided us with the ability to report quicker.

Suggestion No. 6: @

- ✓ On Election Night, the Auditor's staff had difficulty ascertaining specific information for write-in votes that were cast. They were attempting to determine whether any of the write-in votes would need to be tallied based on whether there were enough to make a difference in the outcome of any of the races. We agree with this suggestion. It is now a priority. Staff has begun and will continue with training in this area.
- ✓ OSOS suggests that we visit other counties that use our voting equipment (Hart). We have been very cautious using other counties as a source. I found that we were as learned or more than others. We continue to contact them via email, telephone, user group meetings, and conferences.
- ✓ OSOS suggests that it would also be beneficial for the CCA's Office to be able to attend HART User Group Meetings. We agree and will request additional travel funding.

To: Clallam County Canvassing Board  
Date: March 16, 2006  
Subject: Secretary of State Election Audit

Page 4 of 4

Suggestion No. 7:

OSOS suggests housing Elections and Voter Registration in one area. If the CCCB agrees, I will approach the CCBoc.

Suggestion No. 8: In Process

OSOS auditor suggests that the Policies and Procedures need to be more detailed. The re-writing is in-process.

Suggestion No. 9: @

The CCCB's delegation of authority did not have a date indicated on it. We added a space for the date.

## Section 4

### Conclusion

Overall, Clallam County has good election procedures and is commended for their diligence in administering elections.

The Clallam County Auditor's Office works very hard with a small number of staff to ensure that the integrity of each election is maintained.

The Auditor's staff puts forth effort to encourage party observers during each facet of the elections process.

It would greatly benefit the Auditor's staff and the voters of Clallam County if staff were able to attend more functions related to the current tabulation system. This would provide an opportunity to learn new and improved election processes.

It is essential that Clallam County immediately implement a plan to provide much needed communication between the Auditor's Office and any departments necessary to guarantee that all information regarding boundary line changes are conveyed to the Auditor. This will allow the Auditor's Office to ensure that all voters in Clallam County receive the correct ballots.

After the monumental number of changes to election law in 2005, Clallam County did an admirable job administering the 2005 General Election.

This reviewer has made a series of recommendations and suggestions for consideration by the Clallam County Auditor and the County Canvassing Board. These are meant to enhance and improve Clallam County's procedures. The Office of the Secretary of State Election Certification and Training Program is available for any additional assistance the Auditor may request.

Review Report Prepared by:

Amber Cervantes  
Election Program Coordinator  
Office of the Secretary of State



April 5, 2006

---

Date

---

Signature